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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

AUS920010906US1

First Named Inventor: Cristi N. Ullmann Art Unit: 2176

Application Number: 10/047,095 Examiner:

Filed: 01/15/2002

Title: A SYSTEM FOR DELAYED VIEWING OF SELECTED DOCUMENTS HYPERLINKED TO HYPERTEXT DOCUMENTS RECEIVED AT A USER INTERACTIVE RECEIVING DISPLAY STATION IN A COMPUTER CONTROLLED COMMUNICATION NETWORK

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee PLEASE CHARGE DEPOSIT ACCOUNT NO. 09-0447 (duplicate enclosed)

☐ Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 110 (37 CFR 1.17(l)).

2. Reply and/or fee IF THERE HAS BEEN AN INCREASE PETITION FEES PLEASE CHARGE THE DEPOSIT ACCOUNT No 09-0447

A The reply and/or fee to the above-noted Office action in the form of A RESPONSE TO OFFICE ACTION MAILED 01/04/2005 (identify the type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B The issue fee of \$ _____

☐ has been filed previously on _____

☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/12/2005 TBESHAH1 00000006 090447 10047095

01 FC:1452 500.00 DA

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED

SN 10/047,095

UNAVOIDABLY UNDER 37 CFR 1.137(a)

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

J. B. Kraft for Mark S. Walker 9/29/05
 Signature Date
 J. B. KRAFT Attorney 19,226 SN
 MARK S. WALKER, ATTORNEY 30,699
 Typed or printed name Registration Number, if applicable
 Intellectual Property Law Dept. IBM Corp. 512-823-5884
 Address Telephone Number
 11400 Burnet Rd. Austin TX 78758
 Address

- Enclosure ☒ Fee Payment Authorization
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unavoidable delay
☐

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

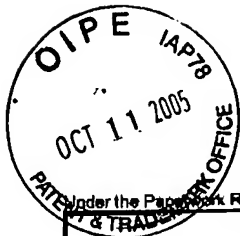
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 272-8300.

9/29/05
 Date

J. B. Kraft
 Signature
 J. B. KRAFT


Typed or printed name of person signing certificate

(AUS9 2001 0906054)



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

 _____ Signature	<u>27 Sept 2005</u> _____ Date
<u>Mark S. Walker</u> _____ Typed or printed name	<u>30699</u> _____ Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

I, Mark S. Walker, am an Attorney, employed by the Assignee, International Business Machine Corporation at the Intellectual Property Law Department of the Assignee at its facility at 11400 Burnet Road, Austin, Texas 78758. I am responsible for the prosecution of the present Patent Application SN. 10/047,095. This responsibility includes ensuring that timely responses are made in the prosecution by Attorneys on staff and outside Attorneys to whom I may assign such responses.

When the present Patent Application was filed in the U. S. Patent Office, there was a request that all correspondence related to the Application be sent to the above address, and to the attention of Cynthia S. Byrd, an Attorney on our staff. Since Attorney Byrd is no longer on our staff, our office procedure was set up so that correspondence related to the Application arriving at our office would be logged in, and then given to me for disposition.

Our records indicate that the Official Action, "DATE MAILED 01/04/2005" in the present Application never arrived at our Intellectual Property Law Department of the Assignee at the above address. It was never logged in or recorded in our Docket file for the Application.

(see attached sheet)

(Please attach additional sheets if additional space is needed.)

Petition for Revival SN 10/047,095 Continued)

The procedure for handling received mail at the Assignee's facility at 11400 Burnet Rd., Austin, Texas is as follows. Mail received in the Assignee's Mail Room is sorted into bins for designated departments including a bin for the Intellectual Property Law Department. The received mail is delivered daily from the Mail Room to the Intellectual Property Law Department where each piece of mail is manually written into a "Mail Log" by an administrative staff member assigned to that function. The received mail document is also entered via computer data entry into a Docket data processing folder set up for each patent application.

My administrative assistant, Robin Zelent, and the Attorney, J. B. Kraft, who is preparing the Response to the missing Official Action have investigated the procedure, and have found the Official Action of January 4, 2005 was never received. It was not logged into our office mail log or entered into the computer docket file maintained for Application SN. 10/047,095 (IBM Docket No. AUS920010906US1).

Attached hereto as Exhibit A is a copy of the office Mail Log showing a portion of the Mail Log for the period from January 6 through January 14, 2005, during which period the Office Action should been received. Attached, as Exhibit B, is a copy of the docket file for the Application which also indicates the absence of the Official Action.

The missing Official Action came to our attention by a Patent Office telephone inquiry to our office on September 1, 2005. We obtained a copy of the Official Action from the on-line PAIR records available from the U.S. Patent Office, and searched our department files for any received copy. Upon failure to find a copy, on September 8, we brought the situation to the attention of our outside Attorney, who is preparing the required Response, and requested that he make a complete investigation to determine the facts, prepare this petition to revive, and complete the appropriate Response which is being filed herewith.

We believe that the Abandonment was unavoidable, and that we proceeded with due promptness once the Abandonment was discovered.



Petition for Revival SN10/047,095
EXHIBIT A (C)

Mail Log

Date Rec	Date Mailed	From	To	Subject
1.6	12.22	USPTO		AUS920000402 Exam. Answer's
	12.21	"		GB920010005, FR920000085, OA
	12.22	"		AUS920010522, 0513 - 15
		"		083685582, 834378B2, 833785B2, 834291082, 340,
		"		284, 299B1, 3103B2, 832518B1, 830889, 833737B2,
		"		834332B2, 830849B2 - OP
		Attm		AUS92001010531451 - OA
1.7	1.4	CS	BMC	AUS920020587 - Contacts for application
		Attm		AUS920010398, 1001, 200304210 - PDA Amend
				AUS919990451, 2000918, 20010587 - IF
				AUS920030779 - Amend resp. to ext. req.
				AUS920010332 - AB
	1.3	CS	BMC	AUS920020471 - OA
	1.4	CET	M3D	08297410 - OP
	12.22	Japan		AUS920000475, 00105 - IDS
	1.5	"		AUS920010101 - PDA
		France	DAM	AUS920000188 - MAIL
Y10		P. Office	CLW	EX920040053 - app
"	12.22	USPTO	CKS	Notice Ex parte Mail
Y10	12/30	PTO	CSB	NOA - 2000-0886
	1/3	PTO		Not Acceptance of POA 2004-0253
	1/4	SYL	MEM	FR 2004-0350
	1/4	SSA	MEM	Reg for COC 2000-0380
	1/6	USM	CS	2001-1004 Amend
	1/4	SSA	MEM	MAIL 2000-0378 US 2
	1/4	SSA	MEM	MAIL 2001-0417

Mail Log

Date Rec	Date Mailed	From	To	Subject
1/10	1/4	CS	PMc	Examiner dt. Summary 2002-0690
	1/4	W M CKS		Training 2004-0580, 0626, 0831, 0698, 0893
		ITSL		Formal 98-0146 & 2003-1068
		Srikishan B D		Signed Report 2004-0185, 04-0552, 04-0555, 04-0556
		Kid BN		04-0557, 04-0558, 04-0559, 04-0562
				Signed Report 04-0567, 04-0184, 04-0183, 04-0182
				04-0553, 04-0557, 04-0185, 04-0552, 04-0556
				04-0558, 04-0559, 04-0562, 04-0555
1/11	1/7	Kuloga MA		AUS920040247- B194
		AIRMX		AUS919990363, 0071, 200007165, 0435, 0807, 0544 FOR
		"		AUS919970472, 19990339455, 20000573, 0802,
		"		0570, 20010672, 0357, 20020153, NAL
		"		AUS919990407, 20020093, 20000566, 0621, 04
		"		AUS920030415, 0350- NDR
		"		AUS92000945, 20010079, 0308, 0757, 0501,
		"		20020023 - BOR
		"		AUS9200201605 - IDS
		"		AUS920010533, 20000134 - AB
		"		AUS920000584 - RA
		"		AUS920010745 - JESP. to Rest. 200.
		"		AUS919980481, 20000304 - JAG. COC
1/11	1/10	BY	NKW	AUS9200201108, 0169, 0174, 0170, D IDS
	"	"	"	AUS920000022 - Reply Brief
				AUS9200001603, 199901029, 200001658, 19970730,
				D755 - Act of 1994
1/11	1/10	PH	P3	PR920000030, 0031, 0032, AU920010340P347, 0620
				0588, 0164, 0589, 20030774, 19980146, 20000610, 0691,
				20010048, PR920000029 - filed cases

Mail Log

Date Rec	Date Mailed	From	To	Subject
1.11	12.31	SWP	CW	Invoice # 123104
	1.4	UPS	"	express mail labels
	"	Tubbs	KLS	AUS920030724 - Digis
	"	Schwinn	"	AUS920030724 - "
	1.10	USPTO	"	AUS920010576 - OR
	12.29	"	same	AUS919890124, BC919900052, AUS919990025, 19950080 - MFR
	1.5	"	"	GB920040049, AUS920040405, 0733, 0879, 0407, 0404 - MFR
	1.10	"	"	AUS420010522, 0525, 0518, 0520 - Not Reg. Chg. of Pat
	"	"	"	AUS919980181, 20020021, 20000535, 0007, 19970510, 20010223, 0803, 0343, 11
	12.30	"	"	571608509, AUS9199300921452, 0716025780, AUS919940171, Not Reg. patent exp.
	"	"	"	081506400, CA919970012, HQ919970074, 19990028, 0021, 0037, AUS919920081, 19930132, 19960093, 19970780, 0027, 19990043, 0339, 0516, 19970521, 0286, 0395, 19990008, 0054, 19980231, 0313, 0300, 0495, 0376, 0237, 0874, 0747, 0470, 0224, 0924, 0572, 0471, 0501, 0489, 0154, 0348, 0268, 0121, 0450, 0316, 0364, 0182452, 0907US1, - main. fire state
	12.29	"	BNC	AUS920030714 - NDR
	"	ATM	"	AUS920010548 - rep to final office notation
	"	"	"	AUS920000449 - not. of non-compliance AB
	"	"	"	AUS920000951 - 15
	"	"	"	AUS920000877 FDR
	"	"	"	AUS920000403 - IF

SN 10/047, 095
EXHIBIT A (A)


Mail Log

Date Rec	Date Mailed	From	To	Subject
1.11		Attn		AUS920030090-1DS
				AUS920000558 - POA
				AUS9200101091 - OA
		SCM	PZ	CA920030036 - AP+
1.8	1.8	Arg	BNC	AUS920031043, 1042, 1044, 20040050 - Arg
1.5	1.5	"	"	AUS920040050, 20031044, 1042 - Arg
1.12		Attn		AUS920011038 - Amend
				AUS919990201 - 15
				AUS920030498, 20010306 - NATL
				AUS9120010302 - Amend
				AUS919990354 - Cor. NATL
				AUS9120000804 - Exp. Abandon
1.12		ZGA	PS	AUS919980140 - FD
12.8	12.8	USPTO	DAM	NATL 919900031 - Not. of pat. exp.
				AUS920006741 - OA
1.10	1.10	DNL	CK3	AUS920020084 - OA
1.7	1.7	JVL	BN	AUS920010046 - COC
		Attn		AUS920010016, 20000104 - 15
				AUS920000543, 20010545, 19960137 - NDA
				AUS919990136 - Appeal
				AUS920000762 - Not. of non-compliant amend
				AUS919970044 - OA
				AUS920000060 - NO Appeal
				AUS920020202, 201, 200, 19970308, Amend, POA
				AUS919990702 - Exp. Abandon
				AUS920000621 - AB
				AUS920030462, 20000563 F04

SN 10/047, 095
EXIT(BIT A (5))

Mail Log

Date Rec	Date Mailed	From	To	Subject
1.13		ATTN		AUS919980303, 20010398, 0178, 20020511, Amend/ROA
				AUS920030793 - FR
				AUS920010219 - OA
				AUS920020084 - LAS
				AUS919990085 - AB
1.2		Sigs	BV	AUS920040184, 0183, 0182, 0553, 0552, 0556, 0555
				0559 - Aug
1.5		Sigs	BNC	AUS92003043, 1042, 1044, 20040050 - Siga
12.17		PH	PS	AUS920010047 - filed case
		ATTN		AUS920000884, 20010433 - FOA
				AUS920000951, 20010143, 0309, 0755, 2004/Amend
				AUS920010750 - OA
				AUS920030285, 20040067 - NOP
				AUS920000375 - AB
1.13	1.10	LEADER	KLS	10809734 - COC
	1.11	CLG	CW	Invoice # 5949
	1.7	Sigs	BME	AUS9200405103 - Sigs
	"	Sigs	MIA	AUS920040459 - "
1.12		PH	PS	AUS920010047 - OA
		ATTN		CA920040077, 00810, 01027R
				AUS919990925 - Exp Abandon
				CA920040062 - NOR
1.11		Sigs	KLS	Assignment for Toshiba - AUS920040370
				010610, 010614, 0409
		ATTN		AUS920000228 - FOA
1.14	1.11	WOM	NKM	AUS919910024, 19970573, 19980443, 19990015, 0351, 05102, 20000527, 0481, 20010018, 1042, 20020042 - Closed IBM files

	Docket AUS9-2001-0906-US1
	Application 10/047095
	Prepared for and/or by an IBM Attorney - IBM Confidential
	Created By Barbara Rogers On 08/30/2001 03:40:04 PM Last Modified By Barbara Rogers On 09/01/2005 10:14:55 AM

Disclosure AUS8-2001-0713
 Merged Disclosures None

Title

SYSTEM FOR DELAYED VIEWING OF SELECTED DOCUMENTS HYPERLINKED TO HYPERTEXT
 DOCUMENTS RECEIVED AT A USER INTERACTIVE RECEIVING DISPLAY STATION IN A
 COMPUTER CONTROLLED COMMUNICATION NETWORK

Summary

Inventors with Lotus Notes IDs
 Inventors without Lotus Notes IDs
 Docket Information
 Outside Counsel Information
 Application Information
 Joint Venture/Alliance Information
 Patent Information
 Interference/Opposition Data
 Prosecution Events

Event Name	Date	Recorded by
Docket Application for Filing	30-Aug-2001	Barbara Rogers
Receive Postcard - Application Filing	15-Jan-2002	Barbara Rogers
File Application - Formal drwgs + Formal papers + IDS	15-Jan-2002	Nancy Werchan
Receive Official Filing Receipt	8-Feb-2002	Barbara Rogers
Receive Notice of Assignment & Recordation	28-Mar-2002	Barbara Rogers
Complete Dossier	3-Apr-2002	Sue Stewart
Complete FDT	11-Jul-2002	Robin Zelent
Receive Notice of Publication	1-Sep-2005	Barbara Rogers

Tasks**Claims****Docket History**